

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

ANNIE MAKI,

*Plaintiff,*

CASE NO. 20-12890

DISTRICT JUDGE THOMAS L.  
LUDINGTON MAGISTRATE JUDGE

PATRICIA T. MORRIS

v.

DONALD TRUMP, CHAD WOLF,  
OFFICE OF THE DIRECTOR OF INTELLIGENCE,  
CENTRAL INTELLIGENCE AGENCY,  
DEPARTMENT OF JUSTICE,  
and FEDERAL BUREAU OF INVESTIGATION,

*Defendants.*

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**OBJECTION TO REPORT AND RECOMMENDATION**

**Objection No. 1,**

I, Annie Maki, appearing *pro se*, respectfully object to this Court the recommendation in I. Recommendation (ECF No. 4, PageID.26) “Because I conclude that the Plaintiff’s claims are outside this Court’s jurisdiction and frivolous, I RECOMMEND that the case be *sua sponte* DISMISSED”.

**Response No. 1,**

I object to the characterization of my case as frivolous and the recommendation that my case be *sua sponte* Dismissed. I respectfully request that this Court not show any prejudice towards my case and that my case not be dismissed. I do not intend to proceed in forma pauperis (IFP) because I do not understand the verbiage within 28 U.S.C. Section 1915, do not believe that I am an eligible “prisoner” that that statute applies to, and do not intend to give consent to becoming such a “prisoner”; I fully reserve all of my rights. I respectfully request that this Court allow me the full time allowable under all provisions to serve the Summons and proceed on my case. I respectfully assert that these matters within my complaint pertain to violations and noncompliance with the Constitution and laws of the United States that have resulted in damage and injuries to me, and that I believe this Court does have jurisdiction on matters within this case generally under 28 U.S.C. Section 1331, and 28 U.S.C. Section 1346, 5 U.S.C. Section 552, 5 U.S.C. Section 552a, and also more specifically under 5 U.S.C. Section 552a(g)(1)(D).

**Objection No. 2,**

I object to the statement by the Magistrate Judge in II. Report, A. Factual Background (ECF No. 4, PageID.28), that I seek “injunctive relief to take “hired assassins” and “operatives linked to the CIA’s Special Activities Center” into custody and that her protective detail not be withdrawn.”

**Response No. 2,**

I am not seeking such “injunctive relief to take “hired assassins” and “operatives linked to the CIA’s Special Activities Center” into custody”, but am alleging that I believe this is something that has already occurred, that numerous such individuals as well as those not linked

to the CIA have already been taken into custody by protective forces, in the course of the prolonged extraordinary circumstances that I have been facing since approximately October 10, 2018, that have involved recurring, prolonged, and ongoing threats against my life, and is a matter directly relevant to injury that I have sustained relating to matters within my complaint. The non-release of such documents, not even in redacted form, that I have requested through FOIA pertaining to these matters should not be falsely conflated as constituting undisputable fact that these events have not occurred. Furthermore, is unclear to me whether the Magistrate Judge is attempting to, without discovery, insinuate that all the matters included in the Factual Background are lies that would call for me objecting to each potential insinuation therein. Instead, I simply offer clarification that I stand by the earnest frankness and sincerity of my words and allegations within my original complaint, and pray that this Court will allow me to continue to seek remedy and relief.

What is a matter of fact, is that the Department of Justice Office of Information Policy acknowledged receipt on October 19,2020, of my Appeal, A-2021-00002, submitted to them on October 15, 2020, pertaining to matters related to this complaint and any files they may have relating to me, and a document modification request. It is a matter of fact that on October 19,2020, the Department of Justice Office of Information Policy also issued a response to me denying expedited determination of that appeal. This appeal included a request for document modification pursuant to 5 U.S.C. Section 552a(d)(2). I have received no further response from the Department of Justice Office of Information Policy, and my appeal still shows up today in their FOIA Star system with the status listed as "In Progress". It is a matter of fact that the appeal has not been handled in a manner that complies with 5 U.S.C. Section 552(a)(6)(A)(ii) and the document modification request within that appeal has not been handled in a manner that

complies with 5 U.S.C. Section 552a(d)(2)(B). This matter qualifies for judicial review pursuant 5 U.S.C. Section 552(a)(6)(E)(iii) and jurisdiction of a district court of the United States pursuant 5 U.S.C. Section 552a(g)(1)(D), and this Court is capable of granting me relief relating to the requested documents pursuant 5 U.S.C. Section 552a(g)(3).

Additional matters included in my complaint are not intended to be frivolous, and I dispute their characterization as such. I have included other matters as they have directly contributed to the extraordinary circumstances and the damages and injuries already sustained by me, which have not been insignificant, from these matters. I respectfully request this Court to consider whether I would unjustly sustain additional unnecessary damages and injury by being further denied remedy if my case is treated with prejudice or dismissed.

With regards to seeking protection not being withdrawn, I face a troubling distinct possibility that it may have been that I was classified within the “information and sources” category initially or as some type of asset despite my lack of contracting or consent to such, in order so that adequate protection could be extended to me with a veneer of legitimacy, and that successfully being granted my document modification request may somehow disqualify me from maintaining such protection.

I respectfully request this Court to consider whether, if during the process of this case a document review pursuant to 5 U.S.C. Section 552a(g)(3)(A) seems to indicate a possibility that false consent or contract has indeed been plagiarized that has labeled me as an informant, source, agent, employee, asset, enlisted person, operative, or any such relationship, whether I have been injuriously and without due consideration been subjected to Forced Labor pursuant 18 U.S.C. Section 1589 and accordingly may qualify for witness protection pursuant 18 U.S.C. Section 1594(g), whether such plagiarized relationship might still potentially qualify me for any

whistleblower or Geneva Convention protections, and whether such initiating agency or other agency could be recommended to consider establishing legitimate consent and contract with me in a manner that does not maintain injury and damage against me if it is deemed necessary for me in order to maintain adequate protection, that I may keep my life many years longer, for the sake of not just myself, but also my minor child, who has lived with me here during the entirety of these most grievous circumstances.

**Objection No. 3,**

I object to the statement made by the Magistrate Judge in II. Report, A. Factual Background (ECF No. 4, PageID.28) that “Plaintiff also complains that her “life and rights remain under threat” because of the “Department of Justice Office of Information Policy’s refusal to grant expedition of and failure thus far to respond to my FOIA appeal[s.]” (ECF No. 1, PageID.13-14.)”

**Response No. 3,**

My words are being mischaracterized and parsed together in a way that does not accurately portray what I stated and creates misattribution as to the cause of threat. The first part of my statement was “I assert that I firmly believe my life and rights remains under threat, which may be further heightened by this complaint, by individuals linked to Donald John Trump, including some within his administration...”.

The other part of my statement was “...and that the Department of Justice Office of Information Policy’s refusal to grant expedition of and failure thus far to respond to my FOIA appeal to them ... constitutes a further violation of my rights and legal violations including but not limited to 18 U.S.C § 241 and 18 U.S.C §242, and 18 U.S.C § 2384, in order to cover up

crimes that may include not just attempted homicide, forced labor, and misprision of treason, but may even include activity that could qualify as War Crimes under 18 U.S.C. §2441”.

I am only alleging that I believe the Department of Justice Office of Information Policy itself has been a party in criminal conspiracy against my rights, deprivation of my rights under the color of law, and possibly seditious conspiracy, and am not alleging that they are the ones responsible for actively creating threats against my life, but rather that people within and connected to Donald Trump’s administration are the ones responsible for actively creating threats against my life. It is unclear to me to what degree the Department of Justice Office of Information Policy may have potentially been acting under duress, or even in a protective capacity towards me to some degree, as they may potentially share my uncertainty as to whether complying with my document modification request might adversely impact the continuation of the protection I have been under.

**Objection No. 4,**

I object to the statement made by the Magistrate Judge in II. Report, C. Analysis (ECF No. 4, PageID.31) that “The President is entitled to absolute immunity from suit.”

**Response No. 4,**

I respectfully request this Court to consider whether public servants of any station rightfully stand in a position of unbound privilege before the law, or one comprised of Rights and Responsibilities, wherein those Responsibilities include upholding their Oaths of Office and complying with the Constitution, laws, and regulations of our Nation, and wherein those related Rights are conferred in service to upholding those Responsibilities, rather than in service to self without consideration for the Law. I have sought only equitable remedy against Donald Trump

as President that would involve helping to reestablish compliance with the Constitution and Laws as required by his Oath, and to help bring discovery to crimes against myself and against our Nation. I respectfully ask this Court to use its discretion on what relief may or may not be appropriate and to simply deny what is not appropriate rather than making any broad dismissals. I realize that some of the requested relief may no longer be applicable, as this administration's term will be ending shortly and Chad Wolf is no longer in his position. I respectfully request this Court still consider making a determination as to whether Donald Trump violated the Constitution or any laws pertaining to Chad Wolf's presumptive period assuming the title of Acting Secretary of Department of Homeland Security, as I am alleging that not only was this directly related to Seditious Conspiracy against our Nation, but that this component of Seditious Conspiracy (and my efforts to defend our Nation against it) has directly and significantly caused injury to me including attempts against my life, and that my ability to seek fuller remedy and justice may be further abridged if this court does not consider making such a determination.

Though I sought no monetary relief against Donald Trump as President during his term, I respectfully request this court to allow me to request a relief modification to also add and include \$369,000 in relief from Donald Trump, specifically only covering injury relating to no response being issued to my FOIA appeal A-2021-00002, caused by exceeding his official authority within the bounds of the law and his extrajudicial complicity in conspiracy against my rights relating to this specific appeal (and document modification request therein) outside of the lawful scope of his office by creating an environment of fear, retaliation, duress, and threats against life, that directly contributed to the failure of the Department of Justice Office of Information Policy to issue a response in compliance with the law to my FOIA appeal submitted to them on October 15, 2019, resulting in deprivation of my rights and injury to me.

I respectfully request that this Court allow me to continue to pursue relief from Donald Trump within this case. If it is agreeable to this Court for me to continue to pursue relief from this defendant within this case, I ask that his address be updated to 1100 S Ocean Blvd, Palm Beach, FL 33480 effective at 12:01pm on January 20, 2020; it is unclear to me whether there is additional action I must take to update his address before attempting to serve summons.

If it is agreeable to this court that requested relief be modified to add \$369,000 in monetary relief from Donald Trump within this case, I respectfully ask this Court whether it is necessary for me to file a separate request to modify my complaint, and if so whether that should occur before or after attempting to serve summons, or if it would be acceptable for me to instead include all documents pertaining to this case including this one with the summons mailing in addition to the original complaint.

If it is not agreeable to this Court for me to continue to pursue relief from Donald Trump within this case, I respectfully request that this Court please only selectively dismiss this individual defendant without prejudice.

**Objection No. 5,**

I object to the statement made by the Magistrate Judge in II. Report, C. Analysis (ECF No. 4, PageID.31) that “In addition, directors and heads of agencies are also immune from suit.”

**Response No. 5,**

I believe that the Magistrate Judge may be insinuating that Chad Wolf is immune from suit as head of an agency, and object to any such insinuation, as when I filed this complaint I could find no legal basis for Chad Wolf having ever legitimately legally being appointed as a head of the Department of Homeland Security in a manner that should confer him any special



immunity privilege. It is a matter of fact that the Government Accountability Office issued a decision on Aug 14, 2020 stating “Because the incorrect official assumed the title of Acting Secretary at that time, subsequent amendments to the order of succession made by that official were invalid and officials who assumed their positions under such amendments, including Chad Wolf and Kenneth Cuccinelli, were named by reference to an invalid order of succession.” Additionally, other Courts who have considered this situation have not been favorable in finding a legitimate legal basis for Chad Wolf serving in that role. However, Chad Wolf has stepped down, and some relief I had requested is no longer applicable. I have no intention to seek any monetary damages or additional relief from Chad Wolf. Seditious Conspiracy complicity allegations aside, to clarify, I am not alleging that Chad Wolf himself has been directly involved in conspiracy against my rights personally, threats against me, or individually causing injury against me, but that others of their own volition without his request or consent were involved in those activities against me partially in an effort to uphold him in his position towards their own ends. I respectfully request that this Court exercise its discretion to make any determinations pertaining to this defendant, and that if this Court chooses to dismiss Chad Wolf from this case, that this Court please make such a dismissal on a selective individual basis.

**Objection No. 6,**

I object to the statement made by the Magistrate Judge in II. Report, C. Analysis (ECF No. 4, PageID.31) that “ “The sovereign immunity of the United States may only be waived by a federal statute” and no such statute has been cited here. F.D.I.C., 510 U.S. at 475. ”

**Response No. 6,**

I make full reservation of my rights, including but not limited to any and all rights granted to me through our Constitution, laws, regulations, international law, and the Geneva Conventions. I make full reservation of my rights pursuant 28 U.S.C. Section 1346(b), 5 U.S.C. Section 552, and 5 U.S.C. Section 552a.

**Objection No. 7,**

I object to the statement made by the Magistrate Judge in II. Report, C. Analysis (ECF No. 4, PageID.31) stating “I therefore conclude that dismissal for lack of subject matter jurisdiction is appropriate because all of the Defendant are immune from suit, rendering the complaint frivolous.”

**Response No. 7,**

I dispute any assertion that this court lacks jurisdiction over the matters in this case, that all the Defendants are immune from suit, and any characterization that my complaint is frivolous, as having no sound basis.

**Objection No. 8,**

I object to the statement made by the Magistrate Judge in II. Report, C. Analysis (ECF No. 4, PageID.31) stating “I also suggest that even if the Defendants are not immune, dismissal of the Complaint is proper because the complaint’s allegations are “totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.”

**Response No. 8,**

Despite the egregious mischaracterization of my allegations that itself has no sound basis, I assert that the Department of Justice Office of Information Policy's failure to issue a response to my FOIA appeal A-2021-00002 or the document modification request therein in a manner prescribed by law constitutes an indisputable injury to me in violation of 5 U.S.C. Section 552 and 5 U.S.C. Section 552a is a matter of fact, not a matter of personal opinion or bias. Though some may find themselves shocked over the events at the Capitol Building on January 6<sup>th</sup>, I have carried extraordinary burdens for several months so that far worse would not come to pass, at a great personal toll. Though some who are familiar with my efforts towards counter-psychological operations and National Security might use descriptors such as "unbelievable" or "Highly Irregular", many of those same people might also use descriptors such as "diligent, critical, highly effective, and noble." With the grievous injuries I have sustained from my own government, but for my Nation, it frankly deeply hurts my feelings that the Magistrate Judge would mischaracterize my complaint in such a manner.

Even prior to the events in our Capitol Building on January 6<sup>th</sup>, on January 3<sup>rd</sup> the Washington Post published an unprecedented letter of warning signed by all 10 living former defense secretaries – "All 10 living former defense secretaries: Involving the military in election disputes would cross into dangerous territory" that included the text "As senior Defense Department leaders have noted, "there's no role for the U.S. military in determining the outcome of a U.S. election." Efforts to involve the U.S. armed forces in resolving election disputes would take us into dangerous, unlawful and unconstitutional territory. Civilian and military officials who direct or carry out such measures would be accountable, including potentially facing criminal penalties, for the grave consequences of their actions on our republic."

Today, we have further unprecedented action, demonstrated by heavy force build up in Washington DC just to ensure a peaceful transition. I would assert that though claims within my complaint may seem outlandish or abnormal to those without exposure to the related activity therein, there are other clearly visible indicators even to the general public that some things right now are not exactly “business as usual”.

**Objection No. 9,**

I object to the statement made by the Magistrate Judge in III. Conclusion (ECF No. 4, PageID.31) stating “For these reasons, I recommend that this case be *sua sponte* DISMISSED.”

**Response No. 9,**

I respectfully request that this Court not dismiss my case or treat my case with any prejudice or bias, including normalcy bias or political bias. I pray that this Court will not abridge my pursuit of relief for injuries against me or bring any further additional injury against me.

**Objection No. 10,**

I object to the statements made by the Magistrate Judge in IV. Review (ECF No. 4, PageID.31-32) “Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140, 155; *Howard v. Sec’y of Health & Human Servs.*, 932 F.2d 505, 508 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 950 (6th Cir. 1981). The parties are advised that making some objections, but failing to raise others, will not preserve all the objections a party may have to this Report and Recommendation. *Willis v. Sec’y of Health & Human Servs.*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed’n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). According to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this magistrate judge. Any objections must be labeled as

“Objection No. 1,” “Objection No. 2,” etc. Any objection must recite precisely the provision of this Report and Recommendation to which it pertains. Not later than 14 days after service of an objection, the opposing party may file a concise response proportionate to the objections in length and complexity. Fed. R. Civ. P. 72(b)(2); E.D. Mich. LR 72.1(d). The response must specifically address each issue raised in the objections, in the same order, and labeled as “Response to Objection No. 1,” “Response to Objection No. 2,” etc. If the Court determines that any objections are without merit, it may rule without awaiting the response.”

**Response No. 10,**

I unequivocally make full reservation of my rights. I do not understand if the Magistrate Judge has included anything within this text that would arbitrarily or without sound basis abridge my rights in any way, and do not consent to any such abridgement of my rights.

Date: January 20, 2021

**S/ANNIE MAKI**

Annie Maki

Plaintiff

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